

APR 30 2012

JULIA C. OWBLEY, CLERK
BY: 
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

PERCIVAL NORMAN FENTON,)	CASE NO. 7:12CV00106
)	
Petitioner,)	
)	FINAL ORDER
vs.)	
)	
UNITED STATES OF AMERICA,)	By: Glen E. Conrad
)	Chief United States District Judge
Respondent.)	

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 5:07CR00025
)	
)	
vs.)	FINAL ORDER
)	
)	
PERCIVAL NORMAN FENTON,)	By: Glen E. Conrad
)	Chief United States District Judge
Defendant.)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

as follows:

1. The petition for a writ of error coram nobis pursuant to 28 U.S.C. § 1651, which was docketed as a separate civil action for administrative purposes only, is **DENIED**, and the petition is also **CONSTRUED** as a motion to vacate, set aside or correct the sentence under 28 U.S.C. § 2255;
2. The Clerk is **DIRECTED** to redocket the coram nobis petition (ECF No. 1) as a § 2255 motion in Case No. 5:07CR00025;
3. The § 2255 motion is hereby **DENIED** without prejudice as successive and is **STRICKEN** from the active docket of the court; and

4. A Certificate of Appealability is **DENIED**.

ENTER: This 30th day of April, 2012.

A handwritten signature in black ink, appearing to read "Ismael Cruz", written over a horizontal line.

Chief United States District Judge